

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN

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UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No. 12-cv-604-bbc

JORDAN R. ELLISON, J.K. DAIRY  
EQUIPMENT SALES, LLC, BARRON  
SUPPLY CO., POSKIN FEED STORE,  
INC., ANDERSON DAIRY SYSTEMS,  
INC., BARRON FARMERS UNION CO-  
OP SERVICES, BARRON VETERINARY  
CLINIC, LTD., LAKEVIEW DENTAL,  
LTD., STEARNS BANK N.A., and  
ASHLEY M. SCHULLO,

Defendants.

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FINDINGS OF FACT AND CONCLUSIONS OF LAW

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A hearing having been held in this matter on February 27, 2013 before the Honorable Barbara B. Crabb, United States District Judge for the Western District of Wisconsin, and the Court having considered the pleadings and other documents on file, hereby makes the following Findings of Fact and Conclusions of Law.

**Findings of Fact**

1. The allegations of the Complaint are proven and true.
2. There is now due and unpaid on said notes and mortgages as of February 27, 2013, the sum identified in Exhibit A.

3. No proceedings have been had at law or otherwise for the recovery of the sum secured by said note, mortgage, and financing statement.

4. The real estate is so situated that it cannot be sold in parcels without injury to the interest of the parties, and a sale of the whole will be more beneficial to the parties hereto.

5. The mortgaged premises are as described in Exhibit B.

6. The mortgaged premises have not been abandoned.

7. Due notice of the pendency of this action was duly filed, after the filing of the Complaint herein, on the filing of the Lis Pendens on September 17, 2012, and more than twenty (20) days prior to the trial of this action, in the Office of the Register of Deeds for Lincoln County, Wisconsin, in the manner and form required by law.

#### **Conclusions of Law**

1. Plaintiff is entitled to judgment of foreclosure and sale in the usual form, as requested in Plaintiff's Complaint, and in accordance with the above findings of fact.

2. The Summons and Complaint in the above action were duly served on the defendants herein, unless service of the summons was waived, in which case the signed waiver form has been filed with the Court for the defendants, as set forth in the declaration of Barbara L. Oswald, Assistant United States Attorney, on file herein; the time for answering the Complaint has expired; no answer or other response or appearance has been served on or received by Plaintiff's attorney from or made by any

of the defendants, except as may be set forth in the declaration of Barbara L. Oswald, Assistant United States Attorney.

3. Plaintiff is entitled to recover from the defendants the sum identified in Exhibit A.

4. The mortgaged premises shall be sold as a whole.

5. The mortgaged premises have not been abandoned.

6. Deficiency judgment is not being sought in this action.

7. Sale of the premises shall be conducted by or under the direction of the United States Marshal for the Western District of Wisconsin. Notice of sale shall be made by publication in the Barron News-Shield, the newspaper published in the City of Barron, County of Barron, State of Wisconsin.

8. Defendants and their heirs, respectively, and all persons claiming under them or any of them, after the filing of notice of the pendency of this action, be forever barred and foreclosed of all right, title, interest, and equity of redemption in said mortgaged premise so sold.

Now, on application of the Office of the United States Attorney for the Western District of Wisconsin, attorney for Plaintiff,

IT IS ORDERED that judgment of foreclosure and sale of the mortgaged premises and items of security, in the usual form as provided by and in accordance with the above findings of fact and conclusions of law, be entered in this action.

Dated this 27<sup>th</sup> day of February, 2013.

BY THE COURT:

*Barbara B. Crabb*

BARBARA B. CRABB  
United States District Judge  
Western District of Wisconsin

**EXHIBIT B**

UNITED STATES OF AMERICA v. JORDAN R. ELLISON, et al.

Case Number 12-cv-604-bbc

Location: Barron County, Wisconsin

Legal Description:

Lot 1 of Certified Survey Map 28-3, Map No. 3968, a part of the NE 1/4 - NW 1/4 of Section 13, Township 34 North, Range 13 West (in the Township of Clinton).

**EXHIBIT A**

UNITED STATES OF AMERICA v. JORDAN R. ELLISON, et al.  
Case Number 12-cv-604-bbc

a.	Principal as of February 27, 2013	\$413,189.61
b.	Interest as of February 27, 2013	<u>\$ 75,606.45</u>
	TOTAL as of February 27, 2013	<u>\$488,796.06</u>
c.	Court Costs and Disbursements:	
	(1) Attorney Fees	\$ 200.00
	(2) Marshal Fees	\$ 1,056.55
	(2) Filing Lis Pendens	\$ 30.00
	(3) Title Opinion	<u>\$ 350.00</u>
	Subtotal:	<u>\$ 1,641.55</u>
	<b>TOTAL AS OF FEBRUARY 27, 2013</b>	<b><u>\$ 490,432.61</u></b>